

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH F. PHILLIP,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
JO ANNE B. BARNHART,	:	
COMMISSIONER OF SOCIAL SECURITY,	:	NO. 2:06-CV-00126
Defendant.	:	

ORDER

AND NOW, this 31st day of July 2006, upon consideration of the parties' cross-motions for summary judgment, and after careful review of the Report and Recommendation of United States Magistrate Judge Peter B. Scuderi, it is hereby ORDERED that:

1. The Report and Recommendation (Doc. No. 8) is APPROVED and ADOPTED.
2. The Plaintiff's Motion for Summary Judgment (Doc. No. 5) is DENIED.
3. The Defendant's Motion for Summary Judgment (Doc. No. 6) is GRANTED.

BY THE COURT:

/S/LEGROME D. DAVIS

Legrome D. Davis, J.